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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,319	12/02/2003	Yasuyuki Hashimoto	ED-US010068B	2675

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EXAMINER


RODRIGUEZ, SAUL

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/725,319	HASHIMOTO ET AL.	
	Examiner	Art Unit	
	Saúl J. Rodríguez	3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/085,053.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

This is a first office action on the merits of patent application S. N. 10/725,319.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto Pub-No. JP 2000035053A in view of Koda et al. (292). To facilitate a better understanding as well as provide a greater accuracy in explaining the following rejection with respect to claims 22-29, the Examiner will refer to the English equivalent Hashimoto '575.

Hashimoto discloses a damper mechanism comprising first (2) and second rotary members (3), a damper section (8), a friction mechanism (11, 72, 73) having a friction rotary member (11) being configured to contact the second and intermediate rotary members (Fig. 10 shows the circuit diagram that shows the friction rotary member contacting the second and intermediate members), a friction suppressing mechanism (62,63,69) having two members aligned in the rotational direction comprising direction comprising a first plate like member (6) with a hole (69), and a second member (62) within the hole. Also, Hashimoto discloses a clutch disk assembly comprising input (2)

and output rotary members (3), a damper mechanism having a spring member (8) and a torsion characteristic having a positive side, a negative side a first stage a second stage, and an intermediate rotary member (6), a friction mechanism (11, 72, 73), a friction suppressing mechanism (62,63,69) having two members aligned in the rotational direction with the intermediate member having a first plate like member (6) with a hole (69), and the friction rotary member having a second member (62) within the hole, and a secondary elastic member (7).

Hashimoto lacks any specific disclosure of an elastic member associated for example with pins (62). It has been know, as shown by Koda et al., to provide elastic means (12) wrapped around a portion of the friction mechanism (9) to soften the impact between members that contact each other at an end of a prescribe annular range.

Then, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the elastic member of Koda et al. in the damper mechanism of JP to reduce noise and vibration.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US3897859A, US006059662A and US005217409A disclose other vibration dampers with friction means and elastic members wrapped around and element. US005269725A disclose a damper with elestic range limiting means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saúl J. Rodríguez whose telephone number is (703) 308-7575. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (703) 308-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Saúl J. Rodríguez
Examiner
Art Unit 3681


SJR